

## SECOND DAY.

Senate Chamber,  
Austin, Texas,

Wednesday, January 13, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of
Holsey.	McLennan.
Hudspeth.	Thomas.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Senter.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Alexander the same was dispensed with.

## COMMITTEE APPOINTMENTS.

The Chair announced the appointment of the following standing committees:

Finance Committee—Willacy, Chairman; Weinert, Terrell of Bowie, Sturgeon, Peeler, Brachfield, Meachum, Holsey, Harper, Murray and Paulus. Committee meets in Finance Committee room, with J. H. Wagner as clerk.

Contingent Expense Committee—Terrell of Bowie, Chairman; Terrell of McLennan, Bryan, Adams, Ward, Greer, Mayfield and Real. Committee meets in room No. 3, with M. T. Barrett as clerk.

## PETITIONS.

Senator Mayfield offered the following petition:

Iredell, Texas, January 9, 1909.

To the Hon. E. B. Mayfield, Austin Texas.

We, the undersigned, would respectfully petition you to support the meas-

ure known as the "Texas Itinerant Drug Vendors' Bill," which has for its object the regulation of the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity, and to provide for the licensing of vendors of the same.

Numerously signed.

Clifton, Texas, January 8, 1909.

To the Honorable Legislature, Austin, Texas.

We, the undersigned, would respectfully petition you to support the measure known as the "Texas Itinerant Drug Vendors' Bill," which has for its object the regulation of the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity, and to provide for the licensing of vendors of the same.

Numerously signed.

Senator Masterson offered the following petition:

Bay City, December 22, 1908.

Hon. Wash Masterson, Galveston.

We, your petitioners, recognizing the question of submission as a live, active issue, and of vital importance to every citizen; and recognizing the further fact that submission as a partisan measure has already been acted upon by the Democracy of Texas in no uncertain tone; and fully realizing the importance and necessity of immediate action by the Legislature upon the question of submitting to the vote of the people a prohibition amendment to our State Constitution, would respectfully beg and petition that you, as our representative in the Senate, use your influence and all the legitimate means within your power to promote the cause of submission, and procure such enactment at the very earliest date possible after the Legislature convenes.

Most respectfully submitted.

Numerously signed.

Angleton, Texas, December 18, 1908.

Hon. T. W. Masterson, Galveston, Texas:

We, the undersigned, do hereby petition you to vote favoring the enactment of a bill which will be presented in the Thirty-first Legislature, asking that body to submit to a vote of the people at the next regular election the question of a constitutional amendment, allowing any person holding a just and legal claim against another to garnishee as much as 10 to 25 per cent of any

wages or salary that may be due to such debtor by another, to be applied to payment of such claim. This is not intended to work undue hardship on any one indebted, but it is hoped that such a law will have a tendency to educate those contracting debts in Texas to more economic habits, and to have a greater regard for truth, honor and fidelity to their fellowman.

Under our present laws, the very nature and construction of which show an unmistakable tendency to shield the "dead beat" and encourage them in defeating payment of their honest debts, one may lend to another his time, knowledge and merchandise, either for profit or without compensation, means with which to shelter, clothe and feed his family, and has no power in any court of Texas by which he can collect for same, where those so accommodated refuse to pay. Through the operation of these laws, which are the very essence of the basest class legislation, many a fortune has been lost and many a business man censured for failures for which these laws alone are responsible.

Therefore, we petition you not to create a law favoring one class as against another class, but to give us laws of equity between man and man. Laws that will reward honesty rather than encourage rascality; in other words, a "square deal for all and special privileges for no one."

Numerously signed.

The Chair had the following communication read and ordered same published in the Journal:

Whereas, The Twenty-ninth Legislature of the State of Texas enacted an act to provide for the purchase and conveyance to the State of Texas of the land in the city of San Antonio known as the Hugo & Schmeltzer Company property, which was a part of the Alamo mission; and for the care and preservation of said property, and of the Alamo church property now owned by the State; and appropriating the sum of sixty-five thousand (\$65,000) dollars to carry out the provisions of this act; and

Whereas, Section 3 of said act provides that "upon the receipt of the title to said land, the Governor shall deliver the property thus acquired, together with the Alamo church property already owned by the State, to the custody and care of the Daughters of the Republic of Texas, to be maintained by them in good order and repair, without charge

to the State, as a sacred memorial to the heroes who immolated themselves upon that hallowed ground; and by the Daughters of the Republic of Texas to be maintained or remodeled upon plans adopted by the Daughters of the Republic of Texas, and approved by the Governor of Texas; provided, that no changes or alterations shall be made in the Alamo church property, as it now stands, except such as are absolutely necessary for its preservation. All of said property being subject to future legislation by the Legislature of the State of Texas; and

Whereas, During the interim, when the Daughters of the Republic of Texas, an incorporated body politic, is not in session, its executive committee has control and charge of all of its affairs; and

Whereas, The Daughters of the Republic of Texas will not convene in annual session until April, 1909; and

Whereas, In the judgment of the executive committee of the Daughters of the Republic of Texas, conditions have arisen which make it expedient to take the following action; and

Whereas, In the maintenance of the trust reposed in the Daughters of the Republic of Texas, by the State of Texas, through having placed in their hands the custody of the Alamo property, in the defense of which they have been forced into the courts, and have had to resort to contentious measures altogether distasteful and unbecoming to the dignity of this great organization; and

Whereas, While deeply appreciating the high honor conferred by the State upon the Daughters of the Republic of Texas by the conveyance of this trust, and which they have endeavored to defend to the best of their ability; yet in the interest of the harmony and dignity of this organization it is asked, that the State of Texas will resume the custody of the Alamo property; therefore, be it

Resolved by the executive committee of the Daughters of the Republic of Texas, That the Thirty-first Legislature of the State of Texas be, and is hereby requested to so amend said act of the Twenty-ninth Legislature providing for the purchase, care and preservation of the Alamo property, so as to relieve the Daughters of the Republic of Texas from the custody and care of the entire Alamo property now owned by the State of Texas, and that a commission be created of not less than five persons, to be male citizens of the State of Texas, to be ap-

pointed by the Governor of the State of Texas, who are to serve without compensation, and to assume the custody and care of said property, with such powers as to the Legislature may seem proper and wise.

Resolved, That as the Daughters of the Republic of Texas have been put to considerable expense in defending this trust aforesaid, the executive committee asks that the Legislature will reimburse the organization for such expenditure by allowing so much of the amount of the income that has accrued from the Alamo property during the custodianship of the Daughters of the Republic of Texas, that this outlay may be met. It is also asked that allowance be made for the sum of \$1450 still due Mrs. Clara Driscoll Sevier for taxes paid on the property by herself, and for which the State made no provision at the time of the purchase.

Resolved further, That a certified copy of these resolutions be transmitted by the secretary, under the seal of the Daughters of the Republic of Texas, to the Governor of the State of Texas; to the President of the Senate, and to the Speaker of the House; and that said President of the Senate and the Speaker of the House are hereby respectfully requested to have said resolution read to the Senate and House in open session, respectively, and recorded in the Journal of each.

(Signed) REBECCA J. FISHER,  
President Daughters of the Republic of Texas.

MAGGIE G. MILBY,  
General Secretary Daughters of the Republic of Texas.

#### ORGANIZATION COMMITTEES REPORT.

There being no other business before the Senate at this time, Senator Terrell of Bowie moved that the two committees appointed yesterday to notify the Governor and House of Representatives that the Senate was organized and ready for business, be requested to report at once.

The motion prevailed, and

After some delay the committee to notify the House reported that they had been informed by the Speaker of the House that complete organization of that body would be completed by 3 o'clock today.

Later the committee to notify the Governor reported that they had noti-

fied His Excellency, who informed them that he would present his message on tomorrow.

#### ADJOURNMENT.

There being nothing before the Senate, on motion of Senator Veale, the Senate adjourned until tomorrow morning at 10 o'clock.

#### THIRD DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, January 14, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Brachfield.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of
Hudspeth.	McLennan.
Hume.	Thomas.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Holsey the same was dispensed with.

#### NOTIFICATION COMMITTEE FROM HOUSE.

Here a committee from the House of Representatives appeared at the bar of the Senate and announced that the House was organized and ready for business.

#### SIMPLE RESOLUTIONS.

Senator Hudspeth offered the following resolution, which was read and adopted:

Resolved, That the President of the Senate assign one of the negro porters to the important position of shining the shoes of the members.